

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

LEE FITZGERALD and KATHERINE ADLER, each individually and on behalf of all others similarly situated,

## Plaintiffs,

## THE SHADE STORE, LLC,

**Defendant.**

CASE NO. C23-1435RSM

## ORDER DENYING MOTION FOR OVERLENGTH BRIEF

This matter comes before the Court on Defendant The Shade Store, LLC's Motion for Leave to File Over-length Brief. Dkt. #72.

“Motions seeking approval to file an over-length motion or brief are disfavored...” LCR 7(f). A Motion for class certification and its opposition are typically limited to 8,400 words. LCR 7(e)(3). Plaintiffs have already filed a motion for class certification within that limit. Defendant now asks to file an additional 4,100 words in opposition for a total of 12,500 words. Dkt. #72 at 1.

Defendant asks for this 50% increase “to ensure it can adequately address the issues posed by Plaintiffs’ Motion for Class Certification.” *Id.* Defendant points out that it will need to address five causes of action, “[t]hree separate proposed class-wide damages models,” the

1 testimony of four expert witnesses, and “[t]he experiences and testimony of two named  
2 Plaintiffs, as well as five Shade Store customers.” Plaintiffs “do not take a position” on this  
3 request. *Id.* at 2.

4 While it may be true that this case involves several causes of action and issues, such  
5 could be said for most of the Court’s cases. Plaintiffs had no need to request overlength  
6 briefing. Neither should Defendant.

7 Defendants have failed to justify a departure from the Local Rules on briefing length.  
8 Accordingly, having reviewed the Motion and the remainder of the record, the Court hereby  
9 finds and ORDERS that Defendant’s Motion for Leave to File Overlength Brief, Dkt. #72, is  
10 DENIED.

11 DATED this 24<sup>th</sup> day of April, 2025.

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13 RICARDO S. MARTINEZ  
14 UNITED STATES DISTRICT JUDGE  
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